

# EXHIBIT B

# ANDERSON KILL P.C.

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By Hand Delivery

February 24, 2020

Clerk of the Court, Ruby J. Krajick  
United States District Court  
Southern District of New York  
Office of the Clerk  
500 Pearl Street  
New York, New York 10007

Re: *Deborah Bodner et al. v. Islamic Republic of Iran*,  
Case No.: 1:19-cv-11776 (GBD) (SN); RE: Service

Dear Clerk of the Court, Ruby J. Krajick:

I represent the Plaintiffs in the above-referenced action.

I am writing to request you effect service on the Defendant, Islamic Republic of Iran, pursuant to 28 U.S.C. §1608(a)(4), at the following address:

Minister of Foreign Affairs  
Ministry of Foreign Affairs of the Islamic Republic of Iran  
Iman Khomeini Avenue  
Tehran, Iran  
ATTN: H.E. Mohammad Javad Zarif

Service on Iran cannot be effected under 28 U.S.C. Sections 1608(a)(1) and (2) because the United States and Iran do not have any special arrangement for service of process upon Iran in accordance with sub-section (1), nor is service permitted by any applicable international convention under the provisions of sub-section (2).<sup>1</sup> See *Valore v. Islamic Republic of Iran*, 700 F. Supp. 2d 52, 70 (D.D.C. 2010).

On January 23, 2020, Plaintiffs, through the Clerk of the Court, attempted to serve Defendant pursuant to the provision to 28 U.S.C. §1608(a)(3). Annexed hereto as **Exhibit 1**, is a copy of the certificate of mailing.

As of Monday, February 24, 2020, over thirty (30) days passed since the certificate of mailing has been issued and service had not been able to be completed

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<sup>1</sup> Iran is not a signatory to the convention of the Service Abroad of Judicial and Extrajudicial Documents in Civil or Commercial Matters.

February 24, 2020  
Page 2

under 28 U.S.C. § 1608(a)(3). Annexed hereto as **Exhibit 2**, is a true and correct copy of the USPS tracking information of the package sent by the Clerk of the Court indicating that serve has not been made. .

Accordingly please serve Defendant pursuant to 28 U.S.C. §1608(a)(4) at the following address:

U.S. Department of State  
SA-29, 4th Floor, 2201 C Street NW  
Washington, DC 20520.  
Attn: Secretary of State, Director of Consular Services, Office of Policy Review and Inter-Agency Liaison (CA/OCS/PRI),

Enclosed please find copies of the following documents:

1. Summons
2. Complaint deemed filed on December 27, 2019
3. Civil Cover Sheet
4. Notice of suit prepared in accordance with 22 CF § 93.2 with a copy of 28 U.S.C. 1330
5. Affidavit of translator (along with translations of the above documents)<sup>2</sup>

In total, we are providing three complete sets of the documents, in both English and Farsi. In accordance with pages 12-13 of the Court's Foreign Mailing Instructions we are providing two sets for service on Defendant and a set of documents for the Court's file.

We have also enclosed pre-paid FedEx label and envelope for delivery to the address above. Please note that our firm FedEx account number is 628354049.

We further enclose a cashier's check in the amount of \$2,275.00 made payable to "U.S. Embassy Bern."

Should you have any questions or require any additional information please do not hesitate to contact me.

Regards,

  
Jerry S. Goldman

Enclosures

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<sup>2</sup> The affidavit of the translator comports with the requirements of NY CPLR 2101(b).

# EXHIBIT 1

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

BODNER ET AL.,

Plaintiffs,

v.

ISLAMIC REPUBLIC OF IRAN,

Defendant.

**CERTIFICATE OF MAILING**

Case No.: 19-cv-11776 (GBD) (SN)

I hereby certify under the penalties of perjury that on the 23<sup>rd</sup> day of January, 2020, I served:

Minister of Foreign Affairs  
Ministry of Foreign Affairs of the Islamic Republic of Iran  
Imam Khomeini Avenue  
Tehran Iran  
Attn: H.E. Mohammad Javad Zarif

☒ the head of the ministry of foreign affairs, pursuant to the provisions of the Foreign Sovereign Immunities Act, 28 U.S.C. § 1608(a)(3).

Two (2) copies of the Summons, Compliant filed December 27<sup>th</sup>, 2019, Civil Cover Sheet, Notice of Suit with copy of 28 U.S.C. 1330; (along with attached affidavit of translator and Farsi translations of the above documents), by USPS Reg. Mail no. RH002019305US

Dated: New York, New York  
January 23, 2020

RUBY J. KRAJICK  
CLERK OF COURT

/s/Shanee Mcleod  
Deputy Clerk

PS Form 3806, Registered Mail Receipt  
April 2015, PSN 7530-02-000-9051  
For domestic delivery information, visit our website at www.usps.com

To Be Completed By Customer (Please Print)  
All Entries Must Be in Ballpoint or Typewritten

TO: JERRY GOLDMAN  
ANDERSON KILL PC  
1251 AVENUE OF THE AMERICAS  
NEW YORK, NY 10020  
MINISTER OF FOREIGN AFFAIRS  
MINISTRY OF FOREIGN AFFAIRS OF IRAN  
IMAM KHOMEINI AVENUE ATTN: MOHAMED  
JAVAD ZAKIR  
TEHRAN, IRAN

FROM: JERRY GOLDMAN  
ANDERSON KILL PC  
1251 AVENUE OF THE AMERICAS  
NEW YORK, NY 10020  
MINISTER OF FOREIGN AFFAIRS  
MINISTRY OF FOREIGN AFFAIRS OF IRAN  
IMAM KHOMEINI AVENUE ATTN: MOHAMED  
JAVAD ZAKIR  
TEHRAN, IRAN

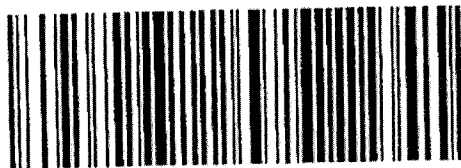
To Be Completed By Post Office

Postage \$ 34.75  
Extra Services & Fees \$ 16.00  
Registered Mail \$ 16.00  
Return Receipt (hard copy) \$ 4.10  
Return Receipt (electronic) \$ 0.00  
Restricted Delivery \$ 0.00  
Customer Must Declare Full Value \$ 0.00  
Received By 01/22/2020  
Domestic Insurance up to \$50,000 is included based upon the declared value. International Insurance is available for purchase.

RE 296 037 892 US

Postage \$ 34.75  
Extra Services & Fees \$ 16.00  
Registered Mail \$ 16.00  
Return Receipt (hard copy) \$ 4.10  
Return Receipt (electronic) \$ 0.00  
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Received By 01/22/2020  
Domestic Insurance up to \$50,000 is included based upon the declared value. International Insurance is available for purchase.



RH002019305US



## USPS Customs Declaration and Dispatch Note

- Print in English using blue or black ink.
- Complete all **SHADED** fields before acceptance.
- See the Privacy Notice on the reverse of Copy 4.

## SHIPMENT INFORMATION (CONTINUED) — BOXED AREA IS FOR USPS-USE ONLY

Last Name		Full First Name		MI	USPS Official Use	USPS Corporate Account	EMS Scheduled Delivery Date
JERRY		GOLDMAN			Total Postage/Fees (U.S. \$)	Insured Value (U.S. \$)	Insured Fee (U.S. \$)
Business Name (if applicable)		Sender's Telephone			7. Sender's Email Address		
Address-1		Address-2			8. Addressee's Email Address		
Address-3		Address-4			9. Exporter's Reference (if applicable and known)		
Address-5		Address-6			10. Exporter's Telephone (if applicable and known)		
Address-7		Address-8			11. Importer's Reference (if applicable and known)		
Address-9		Address-10			12. Importer's Telephone (if applicable and known)		
Address-11		Address-12			13. AES ITN (if applicable)		
Address-13		Address-14			14. AES Exemption — NOEEI § (Check one if applicable)		
Address-15		Address-16			<input type="checkbox"/> § 30.36 <input type="checkbox"/> § 30.37 (a) <input type="checkbox"/> § 30.37 (b)		
Address-17		Address-18			<input type="checkbox"/> § 30.37 (c) <input type="checkbox"/> Other		
Address-19		Address-20			15. License Number (if applicable)		
Address-21		Address-22			16. Certificate Number (if applicable)		
Address-23		Address-24			17. Invoice Number (if applicable)		
Address-25		Address-26			18. Length (inches)		
Address-27		Address-28			19. Width (inches)		
Address-29		Address-30			20. Height (inches)		
Address-31		Address-32			21. Restrictions (if applicable — check all that apply)		
Address-33		Address-34			<input type="checkbox"/> Quarantine		
Address-35		Address-36			<input type="checkbox"/> Sanitary/Phytosanitary Inspection		
Address-37		Address-38			22. Nondelivery Instructions (Check one)		
Address-39		Address-40			<input checked="" type="checkbox"/> Return to Sender		
Address-41		Address-42			<input type="checkbox"/> Treat as Abandoned		
Address-43		Address-44			23. Sender's Signature and Date		
Address-45		Address-46			I certify the particulars given in this customs declaration are correct. This package does not contain any undeclared dangerous items, or items prohibited by legislation or by postal or customs regulations. I have met all applicable export filing requirements under federal law and regulations.		
Address-47		Address-48			For Business Mailers, for items in Block 2 (if the information is known)		
Address-49		Address-50			24. HS Tariff Number		
Address-51		Address-52			25. Country of Origin		
Address-53		Address-54			26. Total		

SHIPMENT INFORMATION

1. Category of Items (Check all that apply)

☒ Document ☐ Commercial Sample ☐ Merchandise ☐ Dangerous Goods

☐ Gift ☐ Returned Goods ☐ Humanitarian Donation ☐ Other

2. Detailed Description of Contents (Enter only one item per line)

3. Quantity

4. Net Weight (Ea)

Lbs. Oz.

5. Value (Ea)

U.S. \$

6. Total

# **EXHIBIT 2**

Track Another Package +

Track Packages  
Anytime, Anywhere

Get the free Informed Delivery® feature to receive automated notifications on your packages

Learn More (https://reg.usps.com/xsell?app=UspsTools&ref=homepageBanner&appURL=https%3A%2F%2Finformedelivery.usps.com/box/pages/intro/start.action)

Tracking Number: RH002019305US

Remove X

Feedback

Not Trackable

USPS Tracking® is unavailable for this product for IRAN ISLAMIC REPUBLIC OF.

Can't find what you're looking for?

Go to our FAQs section to find answers to your tracking questions.

FAQs